

PROB12A1

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

**REPORT OF OFFENDER NON-COMPLIANCE**

**Offender Name:** JUAN CORDOVA-CERVANTES

**Docket Number:** 1:02CR05433-01 OWW

**Offender Address:** Bureau of Prisons

**Judicial Officer:** Honorable Oliver W. Wanger  
United States District Judge  
Fresno, California

**Original Sentence Date:** 02/18/2003

**Original Offense:** Deported Alien Found in the United States, 8 USC 1326  
(CLASS C FELONY)

**Original Sentence:** 12 months BOP; 36 months TSR; \$100 SA; Mandatory  
Drug Testing

**Special Conditions:** 1) Search; 2) Deportation

**Type of Supervision:** Supervised Release

**Supervision Commenced:** 11/20/2003

**Assistant U.S. Attorney:** David Gappa **Telephone:** (559) 487-5561

**Defense Attorney:** Ann Voris **Telephone:** (559) 498-7272

**Other Court Action:**

**12/16/2004** : Form 12A.1, Report of Non-Compliance filed with Court  
advising of offender's arrest and conviction in the  
Southern District of California of an immigration offense.  
Court approved probation officer's plan of no action  
taken.

**12/29/2004** : Form 12A.1, Report of Non-Compliance filed with Court  
advising of offender's arrest and conviction in the  
Southern District of California of a new immigration  
offense. Court approved probation officer's plan of no  
action taken.

**RE: JUAN CORDOVA-CERVANTES**  
**Docket Number: 1:02CR05433-01-OWW**  
**REPORT OF OFFENDER NON-COMPLIANCE**

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### **NON-COMPLIANCE SUMMARY**

The purpose of this report is to advise the Court of an alleged violation of the terms of supervision. The Probation Officer has developed a plan to dispose of the alleged non-compliance with action less than revocation, and the Court is requested to approve the plan to address the non-compliance.

#### **1. NEW LAW VIOLATION**

**Details of alleged non-compliance:** On October 24, 2005, the offender was sentenced by the Honorable Jay R. Irwin, United States Magistrate Judge (District of Arizona) to 6 months custody of the Bureau of Prisons following a conviction of Illegal Entry [Docket Number 05-09778-001-P].

**United States Probation Officer Plan/Justification:** The offender was again arrested during an attempt to illegally reenter the United States following his deportation on October 17, 2005. He has been previously deported or removed to Mexico on numerous occasions and presently is on supervised release in the Southern District of California as well as this district. Given the nature of the sentence received, it is recommended that no further action be taken at this time and that supervised release continue uninterrupted.

Respectfully submitted,

/s/ Hubert J. Alvarez

**HUBERT J. ALVAREZ**  
**Senior United States Probation Officer**  
Telephone: (559) 498-7504

**DATED:** December 12, 2005  
Fresno, California  
HJA

**RE: JUAN CORDOVA-CERVANTES**  
**Docket Number: 1:02CR05433-01-OWW**  
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**REVIEWED BY:** /s/ Bruce Vasquez  
**BRUCE A. VASQUEZ**  
Supervising United States Probation Officer

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**THE COURT ORDERS:**

- ( X ) The Court Approves Probation Officer's Plan, and Orders No Further Action Be Taken At This Time.
- ( ) Submit a Request for Modifying the Conditions or Term of Supervision.
- ( ) Submit a Request for Warrant or Summons.
- ( ) Other:

**December 26, 2005**

**/s/ OLIVER W. WANGER**

**Date**

**Signature of Judicial Officer**

cc: United States Probation  
David Gappa, Assistant United States Attorney  
Ann Voris, Assistant Federal Defender